

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3032
v.)	
)	
RICARDO PERALES,)	
)	MEMORANDUM AND ORDER
Defendants.)	
_____)	

The investigation report received from the pretrial services officer does not favor the defendant's release, and especially troubling is the fact that the defendant has apparently failed miserably in conforming his behavior to the conditions of his deferred prosecution. Yet, inexplicably, there has apparently been no negative consequence visited upon him for that failure. If he can resolve his shortcomings with the California authorities, I would consider releasing him to a third-party custodian. I shall leave it to defendant's counsel to resolve those matters and once that is done, to propose a release plan.

IT THEREFORE HEREBY IS ORDERED,

The motion for release, filing 24, is denied without prejudice to its renewal after the California conditional release violations have been resolved.

DATED this 27th day of April, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge